

PETITION FOR VARIANCE
for Property Located at
31-47 West Aylesbury Road
8th Election District
3rd Councilmanic District

Manekin Aylesbury, LLP,
Property Owner

* BEFORE THE DEPUTY
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY

* Case No.: 99-123-A

*

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner of Baltimore County as a Petition for Variance filed by Petitioner Manekin Aylesbury, LLP, legal owner of the subject property located at 31-47 West Aylesbury Road in Baltimore County. The Petitioner has requested approval of variances from Section 450 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit the legal owner to provide certain signage to the proposed retail development to be known as Fairgrounds Plaza.

At the hearing before the Zoning Commissioner, Robert A. Hoffman, Esquire appeared as the attorney for the Petitioner. Also appearing on behalf of the Petitioner were William Winstead, Vice-President of RA & RM, Inc., General Partner of Manekin Aylesbury, LLP, and Jeffrey Glazer of Kann & Associates, architect for the project.

The subject property, which consists of 13.4 net acres, is zoned BLR (Business, Local, Restricted). The property is located at the intersection of Aylesbury Road and Timonium Road. The property is bordered to the north by the MTA's Light Rail Line.

ORDER RECEIVED FOR FILING

Date

By

To the south, the property is bordered by Aylesbury Road. The Petitioner's site plan, marked as Petitioner's Exhibit 1, shows that the proposed development will consist of a free-standing grocery store, free-standing bank, and three connected retail stores. The property is actually divided into three building locations; however, the development will serve as a single shopping center with shared parking and common areas.

The Petitioner has requested the following variances: Variance from B.C.Z.R. Section 450.4.5.d to allow a wall-mounted sign on a building face and a sign on a canopy without an exterior entrance (Signs # 1, #6); Variance from B.C.Z.R. Section 450.4.5.d to allow an approximately 128 square foot sign in lieu of the permitted 80 square foot sign (Sign #3); Variance from B.C.Z.R. Section 450.4.5.d to allow a second wall-mounted sign on a building face (Sign #5); Variance from B.C.Z.R. Section 450.4.7.B to allow seven lines of text in lieu of the permitted five lines (Sign # 7); and Variance from B.C.Z.R. Section 450.4.3 to allow a company name on 40% and 45% of the total sign area in lieu of the permitted 30% (Signs #8 and #9, respectively).

According to Section 307.1 of the Baltimore County Zoning Regulations, a variance may be granted "where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship." The proper application of Section 307.1 requires a determination first that special circumstances exist with respect to the land or the structure that is the subject of the variance request and that, as a result of those special

circumstances, the zoning restriction impacts more severely on this property owner.

Cromwell v. Ward, 102 Md. App. 691, 721, 651 A.2d 424 (1995). If such special circumstances are found to exist, either with respect to the land or structures, then it must be determined whether those unique circumstances make it practically difficult for the owner to utilize the property for a permitted use without coming into conflict with the zoning regulations. Id.

Having satisfied the "first step," the Petitioners must proceed to the "second step" of this variance process, which is to demonstrate that strict compliance with the zoning regulations for Baltimore County would result in practical difficulty for the Petitioner. In order to prove "practical difficulty," the following factors must be considered:

- 1) whether compliance with the strict letter of restrictions governing area, setbacks, frontage, height, bulk or density would unreasonable prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome;
- 2) whether a grant of the variance applied for would do substantial justice to applicant as well as to other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

McLean v. Soley, 270 Md. 208, 214-215 (1973).

I find that, based on the testimony and evidence provided at the hearing before me, the Petitioner has, in fact, proven the standards for the grant of a variance as set forth above and that the requested variances should be granted. I find, first, that there are

special circumstances relating to the Petitioner's property and structures that cause the requirements relating to signage to impact disproportionately upon the Petitioner and this property. Further, the Petitioner has demonstrated that requiring it to strictly comply with B.C.Z.R. Section 450 would be unnecessarily burdensome; will do substantial justice to the Petitioners, the neighboring property owners, and others; and that the grant of the variances is consistent with the spirit of the ordinance and is accomplished without injury to the public health, safety, or general welfare.

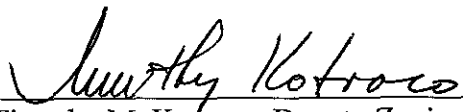
The property is actually divided into three tracts, but is being developed as part of a common retail scheme. Instead of proposing maximum signage for each of the three lots (such as three free-standing identification signs rather than the one requested as would be permitted without further zoning relief), the Petitioner has proposed a sign package that unites the center as a whole. This strategy reaches a balance between the goals of reasonably accommodating the needs of the business community and of reducing visual clutter in Baltimore County. I find that the quality of the construction and architecture of the proposed signs gives the basis for a relaxation of the standards and that the variances should be granted.

Pursuant to the advertising, posting of the property, and public hearing on this Petition, and for the reasons set forth above, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 21st day of December, 1998, that the Petition for Variance from B.C.Z.R. Section 450.4.5.d to allow a wall-mounted sign on a building face and a sign on a canopy

without an exterior entrance (Signs # 1, #6); Variance from B.C.Z.R. Section 450.4.5.d to allow an approximately 128 square foot sign in lieu of the permitted 80 square foot sign (Sign #3); Variance from B.C.Z.R. Section 450.4.5.d to allow a second wall-mounted sign on a building face (Sign #5); Variance from B.C.Z.R. Section 450.4.7.B to allow seven lines of text in lieu of the permitted five lines (Sign # 7); and Variance from B.C.Z.R. Section 450.4.3 to allow a company name on 40% and 45% of the total sign area in lieu of the permitted 30% (Signs #8 and #9, respectively), be and hereby are GRANTED, all subject to the following restriction:

1. The Petitioner may apply for building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


Timothy M. Kotroco, Deputy Zoning
Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
Date 12/21/98
By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

31-47 West Aylesbury Road

which is presently zoned

BLR

This Petition shall be filed with the Department of Permits & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made part of hereof, hereby petition for a Variance from Section(s)

See attached sheet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardships or practical difficulty)

To be determined at the hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

MANEKIN AYLESBURY, LLP

(Type or Print Name)

by RA & RM, Inc. General Partner

Signature

William H. Winstead
Signature William H. Winstead, Vice President

Address

(Type or Print Name)

City

State

Zipcode

Signature

120 East Baltimore Street (410) 385-5785
Address Phone No.

Attorney for Petitioner:

Robert A. Hoffman
Venable, Baetjer and Howard, LLP

(Type or Print Name)

Baltimore, Maryland 21202

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman
Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

(410) 494-6200

Address

Phone No.

Signature

210 Allegheny Ave.

(410) 494-6200

Address

Towson

MD

21204

City

State

Zipcode

**DROP-OFF
No REVIEW**

9/24/98 ucu

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

99-123-A

ORDER RECEIVED FOR FILING
Date 9/24/98

PETITION FOR VARIANCE
Petitioner: Manekin Aylesbury, LLP
Property: 31-47 West Aylesbury Road

Variance from Section 450.4.5.d of the Baltimore County Zoning Regulations to allow a wall-mounted sign on a building face and a sign on a canopy without an exterior entrance. (Signs # 1, #6)

Variance from Section 450.4.5.d of the Baltimore County Zoning Regulations to allow an approximately 128 square foot sign in lieu of the permitted 80 square foot sign. (Sign #3)

Variance from Section 450.4.5.d of the Baltimore County Zoning Regulations to allow a second wall-mounted sign on a building face. (Sign #5)

Variance from Section 450.4.7.B of the Baltimore County Zoning Regulations to allow seven lines of text in lieu of the permitted five lines. (Sign # 7)

Variance from Section 450.4.3 of the Baltimore County Zoning Regulations to allow a company name on 40 and 45 percent of the total sign area in lieu of the permitted 30 percent. (Signs #8 and #9, respectively)

TO1DOCS1/PAM01/0071226.01

ORDER RECEIVED FOR FILING
Date 12/21/08
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

December 21, 1998

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
W/S West Aylesbury Road, 1,377' S of the c/l of Timonium Road
(31-47 West Aylesbury Road)
8th Election District - 3rd Councilmanic District
Manekin Aylesbury, LLP - Petitioners
Case No. 99-123-A

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. William H. Winstead, Vice President
RA & RM, Inc., G.P., 120 E. Baltimore Street, Baltimore, Md. 21202
People's Counsel; Case File





STV Incorporated

21 Governor's Court
Baltimore, Maryland 21244-2722
(410) 944-9112 fax: (410) 298-2794

ZONING DESCRIPTION FAIRGROUNDS PLAZA WEST SIDE OF WEST AYLESBURY ROAD TIMONIUM, BALTIMORE COUNTY, MD

BEGINNING at a point on the west side of West Aylesbury Road, which is 70 feet wide, at the distance of 1,377 feet south of the centerline of Timonium Road, which is 70 feet wide. Thence leaving said West Aylesbury Road and running the following courses and distances:

1. South $83^{\circ}57'41''$ West 570.01 feet,
2. Northwesterly by a curve to the left, having a radius of 3,033.00 feet, an arc length of 289.37 feet, said curve being subtended by a chord bearing North $12^{\circ}37'41''$ West 289.26 feet,
3. North $67^{\circ}56'16''$ East 43.29 feet,
4. Northwesterly by a curve to the left, having a radius of 3,076.00 feet, an arc length of 65.35 feet, said curve being subtended by a chord bearing North $16^{\circ}03'46''$ West 65.35 feet,
5. North $18^{\circ}51'55''$ West 241.56 feet,
6. North $22^{\circ}40'48''$ West 289.74 feet,
7. Northwesterly by a curve to the left, having a radius of 790.00 feet, an arc length of 98.66 feet, said curve being subtended by a chord bearing North $15^{\circ}22'50''$ West 98.60 feet,
8. Northwesterly by a curve to the right, having a radius of 312.50 feet, an arc length of 95.11 feet, said curve being subtended by a chord bearing North $57^{\circ}56'59''$ West 94.74 feet,
9. North $22^{\circ}40'48''$ West 68.80 feet to a point on the south side of the aforesaid Timonium Road, which is 70 feet wide, thence along same,
10. North $58^{\circ}14'28''$ East 0.89 feet, thence leaving said Timonium Road and running the following courses and distances,

99-123-A



STV Incorporated

11. Southeasterly by a curve to the left, having a radius of 287.50 feet, an arc length of 359.84 feet, said curve being subtended by a chord bearing South $72^{\circ}46'52''$ East 336.81 feet,
12. North $71^{\circ}10'36''$ East 323.57 feet to a point on said west side of West Aylesbury Road, which width is variable, thence along same, the five following courses and distances,
13. Southeasterly by a curve to the left, having a radius of 730.00 feet, an arc length of 86.66 feet, said curve being subtended by a chord bearing South $31^{\circ}43'48''$ East 86.61 feet,
14. Southeasterly by a curve to the right, having a radius of 1,270.00 feet, an arc length of 580.55 feet, said curve being subtended by a chord bearing South $22^{\circ}02'06''$ East 575.51 feet,
15. South $75^{\circ}02'57''$ West 7.11 feet,
16. Southeasterly by a curve to the right, having a radius of 2,965.00 feet, an arc length of 142.55 feet, said curve being subtended by a chord bearing South $07^{\circ}37'48''$ East 142.53 feet,
17. South $06^{\circ}15'10''$ East 262.59 feet to the place of beginning as recorded in Deed Liber S.M. No. 12597, Folio 272.

CONTAINING 13.463 acres of land. Also known as Nos. 31-47 West Aylesbury Road, and located in the Eighth (8th) Election District.



STV INCORPORATED

Mark A. Riddle

MD Professional Land Surveyor No. 10899

September 3, 1998



**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. 058745

DATE 9/24/98 ACCOUNT 001-6150
AMOUNT \$ 250.00 (WCR)

RECEIVED FROM: Venable, Baetjer & Howard

FOR: COMMERCIAL VARIANCE #123

31047 West Aylesbury Road
Drop-Off - No Review Case #99-123-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
9/25/1998 9/24/1998 16:52:29
REC 4803 CASHIER PAID PFW DRAWER 3
5 MISCELLANEOUS CASH RECEIPT
Receipt # 059778
CR NO. 058745

250.00 CHECK: FN
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYL D
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **058745**

DATE 9/24/98 ACCOUNT 001-6150

AMOUNT \$250.00 (WCR)

RECEIVED FROM: Venable, Baetjer & Howard

FOR: COMMERCIAL VARIANCE #123

31047 West Aylesbury Road
Drop-Off - No Review Case #99-123-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
9/25/1998 9/24/1998 16:32:29
REG US03 CASHIER PMS PER DRAWER
7 MISCELLANEOUS CASH RECEIPT
Receipt # 059778
CR NO. 058745
250.00 CHECK: FN
Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: 988-123-A
31-47 West Aylesbury Road
W/S Aylesbury Road, approximately 350' S of centerline Ti-
monium Road
8th Election District
3rd Councilmanic District
Legal Owner(s):
Manekin Aylesbury, LLP

Variance: to allow a wall-mounted sign on a building face and a sign on a canopy without an exterior entrance; to allow an approximately 128-square foot sign in lieu of the permitted 80-square foot sign; to allow a second wall-mounted sign on a building face; to allow 7 lines of text in lieu of the permitted 6 lines; and to allow a company name on 40 and 45 percent of the total sign area in lieu of the permitted 30 percent.

Hearing: Friday, November 9, 1998 at 8:00 a.m., in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations, Please Call (410) 887-3353.
(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

10/378 Oct. 22 C267685

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/22/, 1998

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/22/, 1998

THE JEFFERSONIAN,

U. H. Erickson

LEGAL AD. - TOWSON

9196

99-123-A

MANEKIN-AYLESBURY, LLC, ETAL

Date of Hearing/Closing:

11/9/98

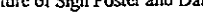
0900-AM

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 31 - #47 A

were posted conspicuously on the property located at #31-#41 AYLE ST. / R-
2-ONSITE LOCATIONS

10/17/98

(Month, Day, Year)

cerely,  10/18/98
(Signature of Sign Poster and Date)

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

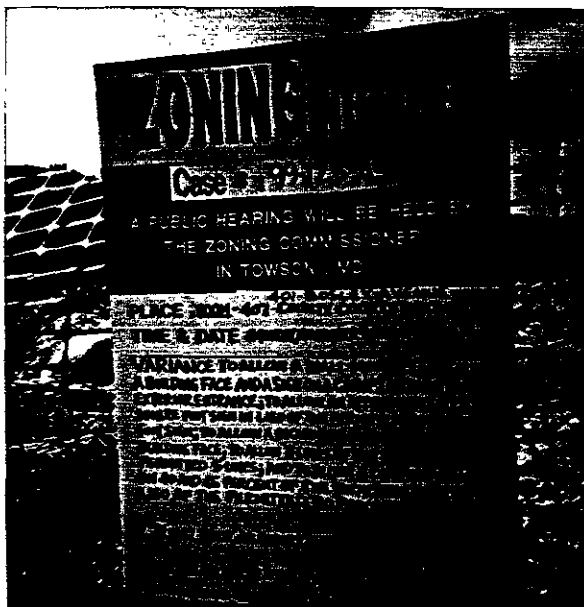
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)



31-47 W. Alesbury Rd.

RE: PETITION FOR VARIANCE
31-47 W. Aylesbury Road, W/S Aylesbury
Rd, appx. 350' S of c/l Timonium Rd,
8th Election District, 3rd Councilmanic

Legal Owners: Manekin Aylesbury, LLP

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
*
* Case Number: 99-123-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of October, 1998, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, P.O. Box 5517, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN

TO: PATUXENT PUBLISHING COMPANY
October 22, 1998 Issue - Jeffersonian

Please forward billing to:

Barb Ormord 410-494-6201
210 Allegheny Avenue
Towson, MD 21204

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-123-A
31-47 West Aylesbury Road
W/S Aylesbury Road, approximately 350' S of centerline Timonium Road
8th Election District – 3rd Councilmanic District
Legal Owner: Manekin Aylesbury, LLP

Variance to allow a wall-mounted sign on a building face and a sign on a canopy without an exterior entrance; to allow an approximately 128-square foot sign in lieu of the permitted 80-square foot sign; to allow a second wall-mounted sign on a building face; to allow 7 lines of text in lieu of the permitted 5 lines; and to allow a company name on 40 and 45 percent of the total sign area in lieu of the permitted 30 percent.

HEARING: Monday, November 9, 1998 at 9:00 a.m. in Room 407, County Courts
Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-
887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

October 7, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-123-A
31-47 West Aylesbury Road
W/S Aylesbury Road, approximately 350' S of centerline Timonium Road
8th Election District – 3rd Councilmanic District
Legal Owner: Manekin Aylesbury, LLP

Variance to allow a wall-mounted sign on a building face and a sign on a canopy without an exterior entrance; to allow an approximately 128-square foot sign in lieu of the permitted 80-square foot sign; to allow a second wall-mounted sign on a building face; to allow 7 lines of text in lieu of the permitted 5 lines; and to allow a company name on 40 and 45 percent of the total sign area in lieu of the permitted 30 percent.

HEARING: Monday, November 9, 1998 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon" with a stylized flourish at the end.

Arnold Jablon
Director

c: Robert A. Hoffman, Esquire
Manekin Aylesbury, LLP

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY OCTOBER 25, 1998.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

September 24, 1998

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Hoffman:

RE: Drop-Off Petition, 31-47 West Aylesbury Road, Case #99-123-A

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper form pertaining to this. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to this office.

If you have any questions regarding the sign posting, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "WCR/scj".

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosures

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ITEM 123

ZONING NOTICE

Case No.: 99-123-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: Variance to allow a wall-mounted sign on a building face & a sign on
a canopy without an exterior entrance; to allow an approximately 128-square foot
sign in lieu of the permitted 80-square foot sign; to allow a second wall-mounted
sign on a building face; to allow 7 lines of text in lieu of the permitted 5 lines;
and to allow a company name on 40 and 45 percent of the total sign area in lieu
of the permitted 30 percent.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: _____

Petitioner: Manekin Aylesbury, LLP

Address or Location: 31-47 Aylesbury Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barb Ormard

Address: 210 Allegheny Avenue
Towson MD 21204

Telephone Number: (410) 494-6201

Revised 2/20/98 - SCJ

99-123-A

Sign
11/9

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: October 22, 1998

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 31-47 Aylesbury Road

INFORMATION:

Item Number: 123

Petitioner: Manekin Aylesbury, LLP

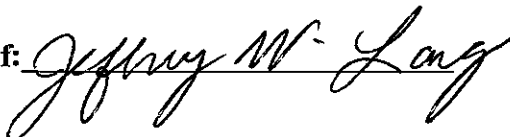
Zoning: BLR

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The petitioner proposes a consolidated sign package that is well designed and complementary to the architectural design of the center. For this reason, the Office of Planning recommends that the applicant's request be granted.

Section Chief:



AFK/JL:



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

March 22, 1999

Jon M. Laria, Esquire
Ballard Spahr Andrews & Ingersoll, LLP
300 East Lombard Street
19th Floor
Baltimore, Maryland 21202-3268

Dear Mr. Laria:

RE: Zoning verification, Fairgrounds Plaza, 31-47 W. Aylesbury Road,
Zoning case 99-123-A, 3rd Election District

This is in response to your letter requesting a zoning determination that certain signs as shown on your provided drawing are within the spirit and intent of the zoning order and plan in case #99-123-A.

Based on your provided information and plan the proposed sign changes to what was shown in the exhibit plan as #'s 3, 4 and 5 and on your proposed plan as #'s 1, 2 and 3 are within the spirit and intent of the order and plan and are approved for zoning without a new hearing subject to the following conditions:

Document this response on all future plans involving sign permits for these proposed signs.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "John L. Lewis".

John L. Lewis
Planner II
Zoning Review

JLL:cjs

Enclosure

c: Zoning case 99-123-A

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us
410-887-3391

October 29, 1998

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard LLP
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Hoffman:

RE: Drop-Off Petition Review (Item #123), 31-47 Aylesbury Road, 8th Election District

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. The distance from the P.O.B. to Timonium Road as stated on the description is not shown on the plan.
2. The zoning map (200 scale) is incorrect. Use an up to date map and submit for file.

If you need further information or have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Lewis".

John L. Lewis
Planner II, Zoning Review

JLL:rye

Enclosure (receipt)

c: Zoning Commissioner

Come visit the County's Website at www.co.ba.md.us



210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
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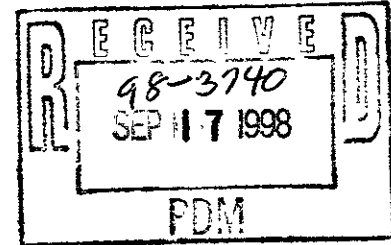
VENABLE
ATTORNEYS AT LAW

Writer's Direct Number:
(410) 494-6206

September 17, 1998

HAND-DELIVERED

Mr. Carl Richards
Department of Permits and
Development Management
County Courts Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



Re: Petition for Variance
Petitioner/Property Owner: Manekin Aylesbury, LLP
Location: 31-47 West Aylesbury Road

Dear Mr. Richards:

I am drop-filing the enclosed Petition for Variance for the above-referenced property. This request has been previously reviewed by John Lewis of your office. This property is not in violation of any zoning laws. With this letter, I have enclosed the following documents:

1. Petition for Variance (3);
2. Zoning Description (3);
3. Site Plan (12);
4. 200' Scale Zoning Map (1);
5. Newspaper Advertising Form; (1) and
6. Check in the amount of \$250.00.

If you have any questions or concerns regarding this filing, please give me a call.

Very truly yours,


Patricia A. Malone

PAM/sm
Enclosures

TO1DOCS1/PAM01/0071557 01

DROP-OFF

99-123-A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

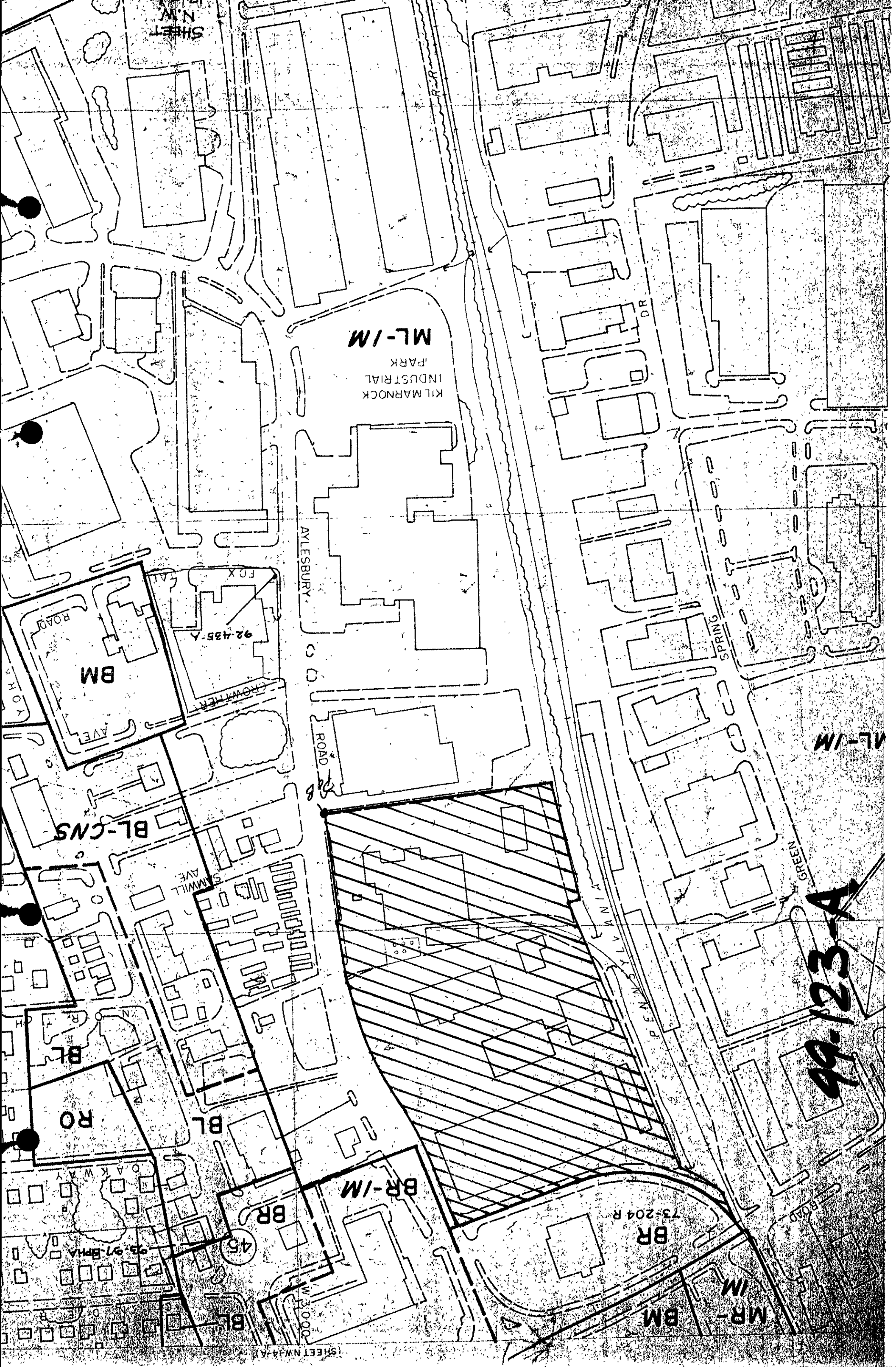
NAME

Rob Hoffman
Geoff Crazer
BILL WINSTEAD

ADDRESS

210 Allegheny Ave 21204
KAMU FASSOC
207 E. Redwood BAY 21202
N AMERIKIN CORP
120 E BALTIMORE ST 21212





ML-1M

KILMARNOCK
INDUSTRIAL
PARK

AYLESBURY
ROAD

SPRING
DR

BM

BL-CNS

SAMWILL
AVE

BL

RO

BL

BR-1M

BR

BL

BR

BM

MR-1M

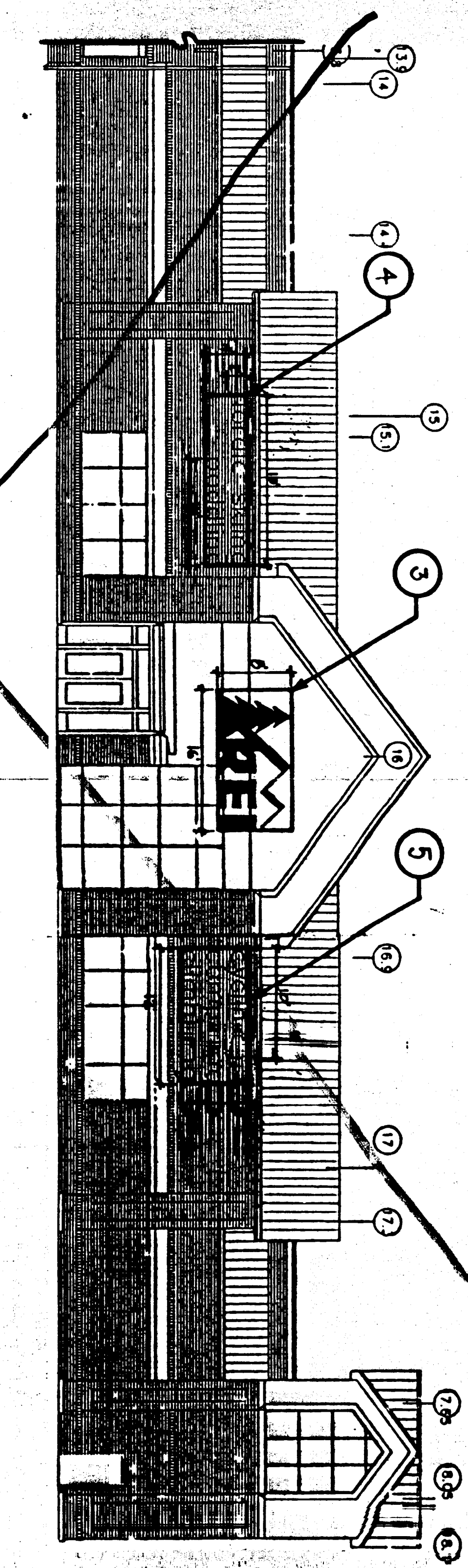
ML-1M

99-123-A

73-204 R

SHEET
N.W.

(SHEET NW4-A)



ELEVATION 'C'

SCALE: 3/32" = 1'-0"

SIGN # 3

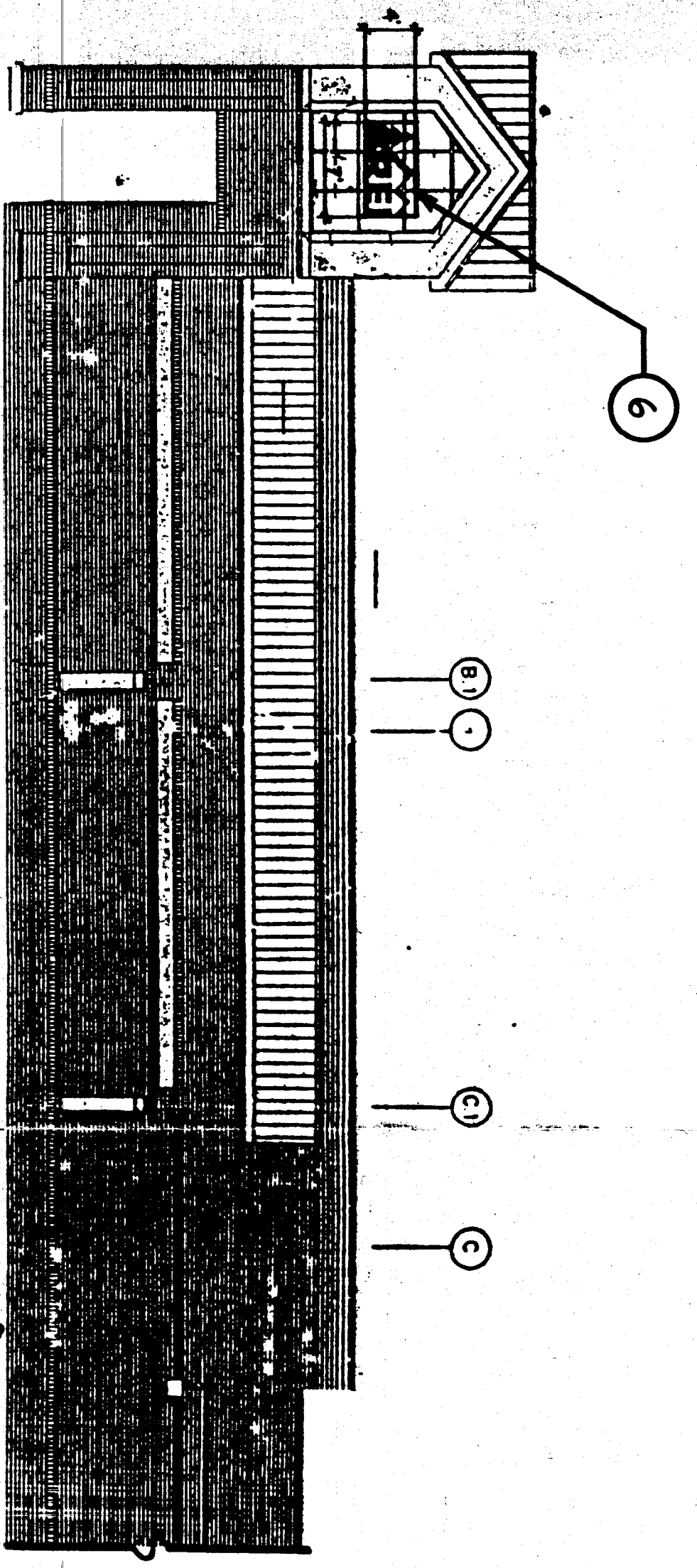
WALL-MOUNTED SIGN IS SINGLE-FACED & ILLUMINATED
CANOPY SIGN IS SINGLE-FACED & ILLUMINATED
PROPOSED HEIGHT = 24 FT +/-
PROPOSED AREA = 128 SF +/-
MAX. HT. ALLOWED = N/A
MAX. AREA ALLOWED = 2 TIMES THE LENGTH OF THE CANOPY = 2 X 40 = 80 SF +/-
VARIANCE REQUIRED: TO ALLOW A 128 SF +/- SIGN (ONLY AN 80 SF SIGN IS PERMITTED) (B.C.Z.R. 450.4.5.4)

SIGN # 4

WALL-MOUNTED SIGN IS SINGLE-FACED & ILLUMINATED
PROPOSED HEIGHT = 21 FT +/-
PROPOSED AREA = 68 SF +/-
MAX. HT. ALLOWED = N/A
MAX. AREA ALLOWED FOR BOTH SIGNS 4 & 5 = 2 TIMES THE LENGTH OF THE STOREFRONT MINUS THE LENGTH OF THE CANOPY = 2 X (152 - 40) = 224 SF +/-
NO VARIANCES REQUIRED

SIGN # 5

WALL-MOUNTED SIGN IS SINGLE-FACED & ILLUMINATED
PROPOSED HEIGHT = 21 FT +/-
PROPOSED AREA = 68 SF +/-
MAX. HT. ALLOWED = N/A
MAX. AREA ALLOWED FOR BOTH SIGNS 4 & 5 = 2 TIMES THE LENGTH OF THE STOREFRONT MINUS THE LENGTH OF THE CANOPY = 2 X (152 - 40) = 224 SF +/-
VARIANCE REQUIRED: TO ALLOW A SECOND WALL-MOUNTED SIGN ON THE SAME BUILDING FACE AS SIGN 4 (B.C.Z.R. 450.4.5.4)

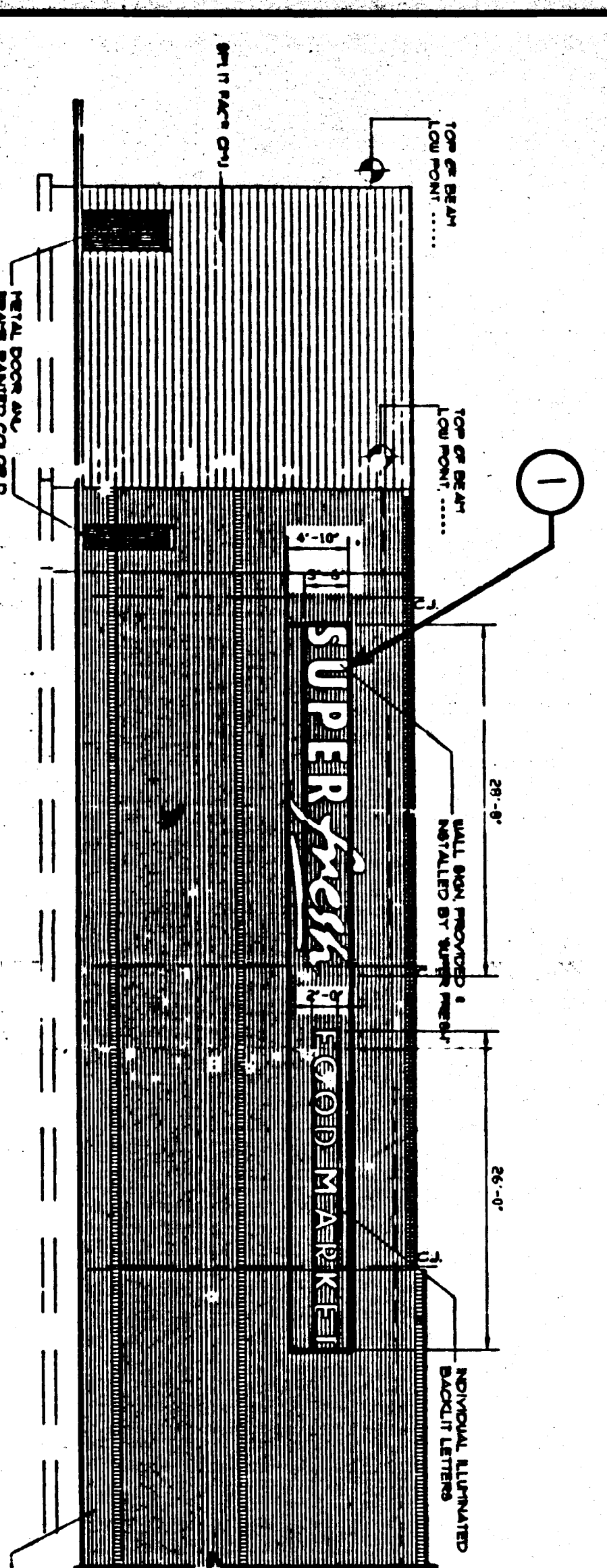


ELEVATION 'D'

SCALE: 3/32" = 1'-0"

SIGN # 6

CANOPY SIGN IS SINGLE-FACED & ILLUMINATED
PROPOSED HEIGHT = 31 FT +/-
PROPOSED AREA = 28 SF +/-
MAX. HT. ALLOWED = N/A
MAX. AREA ALLOWED = 2 TIMES THE LENGTH OF THE CANOPY = 2 X 16 = 32 SF +/-
VARIANCES REQUIRED: TO ALLOW A SIGN ON A CANOPY WHICH DOESN'T CONTAIN AN EXTERIOR ENTRANCE (B.C.Z.R. 450.4.5.4)

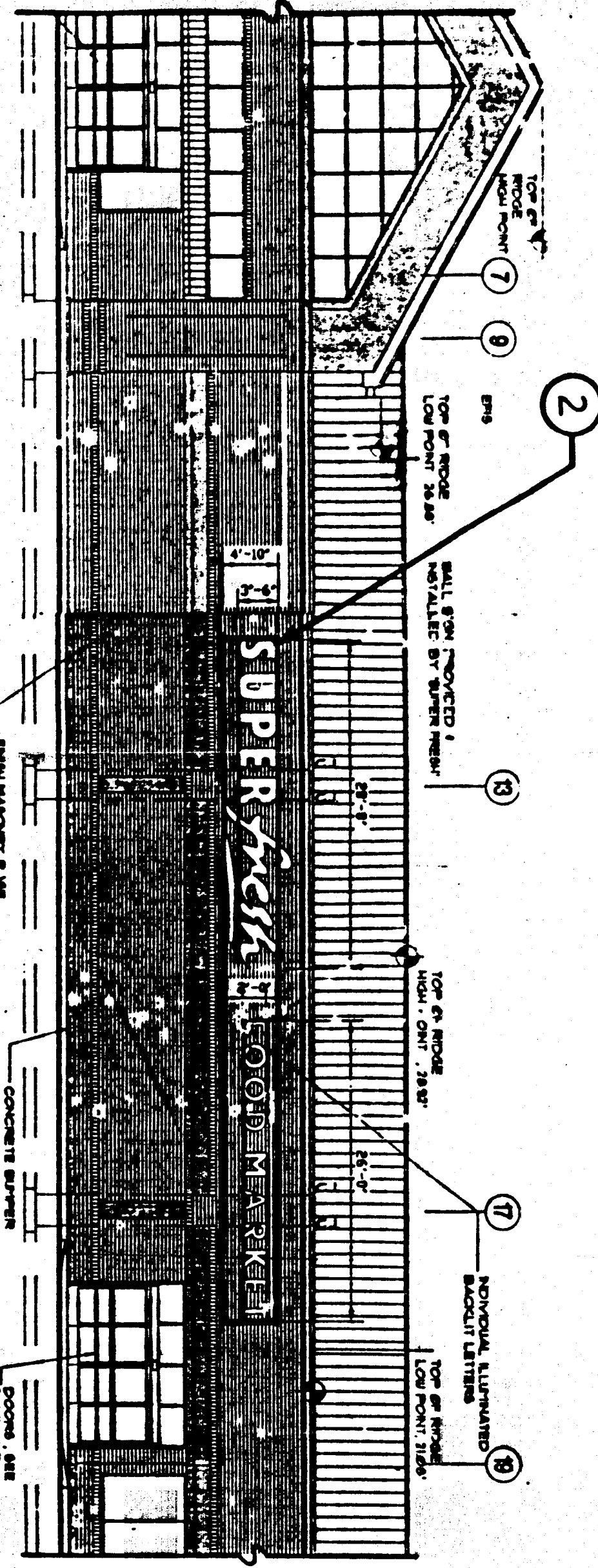


ELEVATION 'A'

SCALE: 3/32" = 1'-0"

SIGN # 1

WALL-MOUNTED SIGN IS SINGLE-FACED & ILLUMINATED
PROPOSED HEIGHT = 21.5 FT +/-
PROPOSED AREA = 108 SF +/-
MAX. HT. ALLOWED = N/A
MAX. AREA ALLOWED = 402 SF +/-
VARIANCE REQUIRED: TO ALLOW A WALL-MOUNTED SIGN ON A BUILDING FACE WITHOUT AN EXTERIOR ENTRANCE (B.C.Z.R. 450.4.5.4)

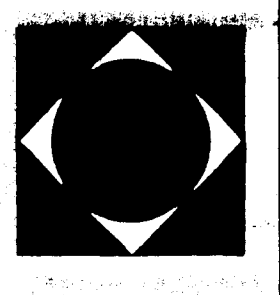


ELEVATION 'B'

SCALE: 3/32" = 1'-0"

SIGN # 2

WALL-MOUNTED SIGN IS SINGLE-FACED & ILLUMINATED
PROPOSED HEIGHT = 21.5 FT +/-
PROPOSED AREA = 108 SF +/-
MAX. HT. ALLOWED = N/A
MAX. AREA ALLOWED = 402 SF +/-
NO VARIANCES REQUIRED



STV Incorporated
engineers / architects / planners / scientists / construction managers
21 Governor's Court Baltimore, MD 21244-2722 (410) 944-9112

REVISIONS	
NO.	DATE DESCRIPTION

PLAN PREPARATION			
DRAWN BY:	T. GREEN	DATE:	SEPTEMBER 2, 1998
DESIGNED BY:	A. PALMER	SCALE:	AS SHOWN
CHECKED BY:	D. WITTE	JOB NO.:	61-03-1376

DETAILS
FAIRGROUNDS PLAZA
31-47 WEST LEXESBURY ROAD
BALTIMORE COUNTY, MARYLAND

DRAWING NO.
SI-HEET NO.
2 of 3

REVISED 3/14/99
99-123-A

